

PROBATE QUESTIONNAIRE

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Please note that unless you have formally retained our office via a signed agreement, no attorney-client relationship has been formed.

A Decedent is someone who has passed away. If a Decedent passes away with a Will, it must be probated by the Surrogate's Court. The Surrogate, or judge of the Surrogate's Court, reviews the terms and the validity of the Decedent's Will and either grants or denies probate. If probate is granted, the Surrogate appoints fiduciaries whom the Decedent has nominated who will marshal all estate assets, pay all lawful debts, distribute the Decedent's net estate to beneficiaries, and ultimately wrap up the Decedent's estate.

* Required

A. DECEDENT'S INFORMATION

1. Decedent's full legal name (please include any aliases). *

2. Decedent's address at date of death (prior to admission to hospital or hospice): *

3. Decedent's date of death: *

Example: January 7, 2019

B. WILL INFORMATION

4. Please provide the date of the Will: *

Example: January 7, 2019

5. Please upload the a copy of the Will.

Files submitted:

6. Who are the witnesses listed on Decedent's Will?

7. Did the Decedent execute any prior Wills or Trusts? *

Mark only one oval.

Yes

No

C. EXECUTORS AND TRUSTEES

8. Please provide names of all executors and successor executors listed in the Decedent's Will. *

9. Are all nominated executors and/or trustees under the Decedent's Will ready and able to act? *

Mark only one oval.

Yes

No

10. If not, please explain why below.

11. Is any nominated executor or successor executor an attorney or did he/she/they have a confidential relationship with the Decedent, such as being the Decedent's clergy leader or caretaker? *

Mark only one oval.

Yes

No

12. If yes, please elaborate below.

13. Does any nominated executor have a felony record? *

Mark only one oval.

Yes

No

14. If yes, then please elaborate below on the nature of the felony.

15. Are all nominated executors U.S. Citizens? *

Mark only one oval.

Yes

No

D. DECEDENT'S FAMILY MEMBERS

16. Was Decedent married at his/her/their date of death? *

Mark only one oval.

Yes

No

17. If yes, then please list the address of the surviving spouse (only if the surviving spouse's address is different from the Decedent's address).

18. Did the Decedent and his/her/their surviving spouse sign a prenuptial or postnuptial agreement or a marital waiver? *

Mark only one oval.

Yes

No

19. If yes, then please provide a copy of the marital agreement or waiver.

Files submitted:

20. Did the Decedent's spouse predecease him/her/them? *

Mark only one oval.

Yes

No

21. If yes, then please provide a copy of the predeceased spouse's death certificate.

Files submitted:

22. Was the Decedent survived by any children, either biological, formally adopted or a stepchild? *

Mark only one oval.

Yes

No

23. If yes, then for each child of the Decedent, please list: a) name; b) date of birth; c) email and mailing address; and d) whether the child is a biological child, adopted child, or step-child.

24. Did any child of the Decedent predecease the Decedent? *

Mark only one oval.

Yes

No

25. If there is only one surviving child or sibling of the Decedent, please provide the name, phone, and email of at least one family friend who knew the Decedent well enough to provide a sworn statement regarding the Decedent's family relationships *who is not listed in Decedent's Will.*

26. If yes, then please list the predeceased child’s name and date of death.

27. If yes, then please provide a copy of that child's death certificate.

Files submitted:

28. Did the Decedent’s predeceased child leave behind any children (Decedent’s grandchildren)?

Mark only one oval.

Yes

No

29. If yes, then please provide the names, email and mailing addresses, phone numbers, and dates of birth of the Decedent's grandchildren.

30. If decedent left behind no surviving spouse, children or grandchildren, for all surviving relatives of the Decedent please list: a) names; b) email and mailing addresses; c) phone numbers; and d) familial relationship. **(Only complete if there are are no persons listed earlier in this Section).**

31. Are any of the Decedent's relatives mentally incapacitated or imprisoned? *

Mark only one oval.

Yes

No

32. If yes, please elaborate below.

33. **Beneficiaries are those individuals or charities that the Decedent left gifts for in his/her/their Will. A beneficiary does not need to be a biological relative of the Decedent.** *

Please list all the beneficiaries who are listed under the Decedent's Will.

34. Is any beneficiary under the Decedent's Will a minor (under age 18)? *

Mark only one oval.

Yes

No

35. Is there only one beneficiary listed under the Will? *

Mark only one oval.

Yes

No

36. Did the Decedent execute his/her/their Will before marriage or before having children so that the surviving spouse or child was inadvertently omitted? *

Mark only one oval.

Yes

No

37. If core family members were inadvertently left out of the Decedent's Will, please elaborate below.

38. Where is the Decedent's original Will located? If there is only a copy of the Will, please let us know. *

39. Do you anticipate that any relative of the Decedent might object to the probate of the Decedent's Will or to the appointment of the nominated executor? *

Mark only one oval.

Yes

No

40. If yes, please explain why the relative might object:

41. Are there any relatives or beneficiaries under the Will whom you know is alive yet who cannot be found? *

Mark only one oval.

Yes

No

42. If yes, then please elaborate.

E. DECEDENT'S ASSETS

REAL ESTATE

43. Did the Decedent pass away with real property? *

Mark only one oval.

Yes

No

44. If yes, then please provide all information regarding each property owned by the Decedent, including: a) property type (co-op, condo, detached or semi detached residence); b) property address; c) any and all additional owners; and d) estimated fair market value of the property.

45. If any real property listed above is an investment or rental property, **and such property is owned solely by the Decedent**, please calculate the amount of 18 months rent on such rental or investment property.

46. Please provide ownership documents for each property listed above - property document #1.

Files submitted:

47. Please provide ownership documents for each property listed above - property document #2.

Files submitted:

48. Please provide ownership documents for each property listed above - property document #3.

Files submitted:

49. Is there a mortgage on any of the Decedent's properties? *

Mark only one oval.

Yes

No

50. If yes, then please list the mortgage amount remaining on each property.

51. Did the Decedent pass away with a pending cause of action (lawsuit) for which this proceeding is commenced? *

Mark only one oval.

Yes

No

52. If yes, please describe the cause of action.

53. Did Decedent own any unimproved real property (lots or acres of land)? *

Mark only one oval.

Yes

No

54. If yes, please describe the Decedent's unimproved land and its approximate value.

55. **RETIREMENT ACCOUNTS (IRAs, pension plans, etc.) ***

Did the Decedent have any retirement accounts?

Mark only one oval.

Yes

No

56. If yes, then please provide all information for each account including a) account type; b) where the account is held; c) any additional owners on the account; d) estimated value of the account; and e) primary and contingent beneficiaries.

57. **LIFE INSURANCE POLICIES**

Did the Decedent have any life insurance policies in place?

Mark only one oval.

Yes

No

58. If yes, then for each of the Decedent's life insurance policies, please provide: a) account type (term, whole life, etc.); b) where the policy is held; c) policy premium; and d) primary and contingent beneficiaries.

59. **SAVINGS / CHECKING / PAY ON DEATH ACCOUNTS** *

Did the Decedent pass away with any of the above accounts?

Mark only one oval.

Yes

No

60. For each of the Decedent's savings, checking, or pay on death account, please list:
a) account type; b) where the account is held; c) additional owners on the account;
d) estimated value; and e) account beneficiaries.

61. **BROKERAGE / INVESTMENT ACCOUNTS** *

Did the Decedent own any brokerage or investment accounts or stocks and bonds?

Mark only one oval.

Yes

No

62. If yes, then please provide the following information for each account that the Decedent held: a) account type; b) where the account is held; c) additional owners of the account; d) estimated value of each account; and e) all beneficiaries listed on each account.

63. Did the Decedent have a financial planner?

Mark only one oval.

Yes

No

64. If yes, please provide name and email of the Decedent's financial adviser/planner:

65. **DECEDENT'S BUSINESS INTERESTS**

*

Did the Decedent own any business or equity in a business?

Mark only one oval.

Yes

No

66. If yes, for each business of the Decedent, please provide: a) company name; b) state of formation / incorporation; c) business type (corporation, LLC); and d) other members or shareholders.

67. Please provide all formation documents for Decedent's business -- Formation Document #1

Files submitted:

68. Please provide all formation documents for Decedent's business -- Formation Document #2

Files submitted:

69. Please provide all formation documents for Decedent's business -- Formation Document #3

Files submitted:

70. **INTELLECTUAL PROPERTY / COPYRIGHTS / PATENTS**

*

Did the Decedent own any items of intellectual property, including copyrights, patents or royalties?

Mark only one oval.

Yes

No

71. If yes, then please describe each item of the Decedent's intellectual property and whether it is owned with others, and the approximate value.

72. **ALL OTHER ASSETS**

In the following section, please list all other assets owned by the Decedent. Such assets may include vehicles, artwork, jewelry, rare books and coins, etc. Be sure to describe each asset, its value, and where the asset is held.

F. DECEDENT'S DEBTS

73. Did the Decedent have any liabilities or debts? *

Mark only one oval.

Yes

No

74. If yes, then for each liability or debt held by the Decedent, please provide information regarding: a) debt type; b) where the debt is held; c) amount remaining on the debt; and d) and whether the debt is owed with others.

**G.
ADDITIONAL
INFORMATION
SECTION**

In this last but important section, please answer the questions below and upload all relevant documents on behalf of the Decedent. You may use this section to upload additional documents that you were unable to upload previously. If it is easier for you to forward us copies of documents via email, please feel free to do so.

We treat each probate proceeding with the attention and dedication it deserves. Although we endeavor to make this probate questionnaire as exhaustive yet navigable as possible, there might be issues that our questionnaire has not addressed. Therefore, please use this section to provide us with all additional information that you think is relevant for us to prepare this probate proceeding on your behalf.

75. Please use this section to provide us with any additional information that you think would be pertinent to this probate proceeding.

76. Please upload any additional documents here - additional document #1.

Files submitted:

77. Please upload any additional documents here - additional document #2.

Files submitted:

78. Please upload any additional documents here - additional document #3.

Files submitted:

79. Please upload any additional documents here - additional document #4.

Files submitted:

80. Please upload any additional documents here - additional document #5.

Files submitted:

We look forward to working with you on your probate matter and consider it a tremendous privilege to do so.

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